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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,818	02/21/2006	Klaus Lukas	1454.1675	7599

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER	
ADESANYA, OLUJIMI A	

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2626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/568,818	LUKAS, KLAUS	
	Examiner	Art Unit	
	OLUJIMI A. ADESANYA	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-33* is/are pending in the application.

4a) Of the above claim(s) *1-14* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-33* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. **Claims 15-17, 20-22, 24-25, 31 and 33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bareis US 5,617,407 ("Bareis") (IDS) in view of Janek et al US 6,253,176 B1 ("Janek").

As to **claim 15 and 33**, Bareis discloses a method and system for voice recognition, comprising:

storing items of multimedia data on a storage medium (Abstract);

Bareis discloses assigning items of text data respectively to the items of multimedia data (col. 4, ln 9-25)

Bareis does not explicitly disclose the items of text data respectively having graphemes, assigning the graphemes of the text data to respective phonemes or using the items of text data with phonemes assigned thereto as a vocabulary of a voice recognition device;

However, these features are well known as is evidenced by Janek who teaches:

the items of text data respectively having graphemes (col. 5, ln 48-56)

assigning the graphemes of the text data to respective phonemes (col. 5, ln 48-56, col. 9, ln 14-32)

using the items of text data with phonemes assigned thereto as a vocabulary of a voice recognition device (col. 5, ln 48-56, col. 9, ln 14-32).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the items of text data respectively have graphemes, assigning the graphemes of the text data to respective phonemes and using the items of text data with phonemes assigned thereto as a vocabulary of a voice recognition device so as to associate identifying information in form of phonetic sequences to the text (Janek, col. 5, ln 48-56), for easy command recognition (Janek, col. 11, ln 14-46) and to facilitate a high recognition rate of input data (Janek, col. 11, ln 60 – col 12, ln 8) respectively.

As to **claim 16**, Bareis discloses the method according to claim 15, wherein the multimedia data is audio data and the storage medium is a CD (Abstract, col. 6, ln 47-56).

As to **claim 17**, Bareis discloses the method according to claim 16, wherein the text data assigned to the audio data is stored on the CD as CD text (col. 5, ln 11-26).

As to **claim 20**, Bareis discloses the method according to claim 15, wherein the multimedia data is video data (Abstract).

As to **claim 21**, Bareis discloses the method according to claim 15, wherein the storage medium is a DVD (col. 1, ln 10-25).

As to **claim 22**, Bareis discloses the method according to claim 15, wherein the text data is stored in a directory on the storage medium (contents, text, col. 5, ln 11-26).

As to **claim 24**, Bareis discloses the method according to claim 15, wherein the text data contains the name of the artists and/or the titles of the multimedia data to which it is assigned (title choices, col. 5, ln 5-26).

As to **claim 25**, Bareis discloses the method according to claim 15, further comprising controlling a multimedia device via the voice recognition device (col. 1, ln 10-17).

As to **claim 31**, Bareis discloses a system which is set up to implement a method according claim 15 (col. 1, ln 10-17).

3. **Claims 18-19, 23, and 26-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bareis in view of Janek as applied to claim 15 above, and further in view of Csicsatka US PGPUB 2003/0158737 A1 ("Csicsatka").

As to **claim 18**, Bareis and Janek disclose the method according to claim 15,

Bareis and Janek do not explicitly disclose wherein the multimedia data is MP3 audio data.

However, this feature is well known as is evidenced by Csicsatka who teaches:

wherein the multimedia data is MP3 audio (par. [0008] – [0009])

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the multimedia data is MP3 audio so as to facilitate identification of descriptive textual information relating to the audio file and for better quality (Csicsatka, par. [0009])

As to **claim 19**, Bareis, Janek and Csicsatka disclose the method according to claim 18,

Bareis and Janek do not explicitly disclose wherein the multimedia data is MP3 audio data and wherein the text data is stored in a playlist.

However, this feature is well known as is evidenced by Csicsatka who teaches:

wherein the text data is stored in a playlist (fig 2).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the text data is stored in a playlist so as to help the user identify textual information relevant to the audio (Csicsatka, par. [0009])

As to **claim 23**, Bareis and Janek disclose the method according to claim 15 and a text data,

Bareis and Janek do not explicitly disclose wherein the text data is obtained for the multimedia data from a central database

However, these features are well known as is evidenced by Csicsatka who teaches:

wherein the text data is obtained for the multimedia data from a central database ([0043])

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the text data is obtained for the multimedia data from a central database so as to facilitate identification of the audio file (Csicsatka, Abstract, par. [0017])).

As to **claim 26**, Bareis and Janek disclose the method according to claim 15,

Bareis and Janek do not explicitly disclose wherein the text data is at least partially converted in a text-to-voice conversion and is output acoustically.

However, this feature is well known as is evidenced by Csicsatka who teaches:

wherein the text data is at least partially converted in a text-to-voice conversion and is output acoustically (par. [0054])

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the text data is at least partially converted in a text-to-voice conversion and is output acoustically so as to generate an audio voice tag (Csicsatka, par. [0054])

As to **claim 27**, Bareis and Janek discloses the method according to claim 15 and a text data,

Bareis and Janek do not explicitly disclose wherein the text data is obtained for the multimedia data from a central database

However, these features are well known as is evidenced by Csicsatka that teaches:

wherein the text data is obtained for the multimedia data from a central database ([0043])

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the text data is obtained for the multimedia data from a central database so as to facilitate identification of the audio file (Csicsatka, Abstract, par. [0017]))

As to **claim 28**, Bareis, Janek and Csicsatka disclose the method according to claim 27,

Bareis and Janek do not explicitly disclose wherein the text data is obtained for the multimedia data from a central database or wherein the text data contains the name of the artists and/or the titles of the multimedia data to which it is assigned (par. [0040]).

However, these features are well known as is evidenced by Csicsatka that teaches:

wherein the text data contains the name of the artists and/or the titles of the multimedia data to which it is assigned (par. [0040])

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the text data contains the name of the artists and/or the titles of the multimedia data to which it is assigned so as to facilitate identification of the audio file (Csicsatka, Abstract, par. [0017]))

As to **claim 29,** Bareis, Janek and Csicsatka disclose the method according to claim 28,

Bareis discloses further controlling a multimedia device via the voice recognition device (col. 1, ln 10-17).

As to **claim 30**, Bareis, Janek and Csicsatka disclose the method according to claim 29,

Bareis discloses wherein the text data is at least partially converted in a text-to-voice conversion and is output acoustically (col 5, ln 11-26).

4. **Claim 32** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bareis in view of Janek as applied to claim 31 above, and further in view of Dygert et al US PGPUB 2002/0048224 A1.

As to **claim 32**, Bareis discloses the system according to claim 31, and wherein the system is a CD player or a DVD player (col. 1, ln 10-25) and a car (col. 1, ln 46-52).

Bareis does not explicitly disclose wherein the system is a car radio,

However, this feature is well known as is evidenced by Dygert who teaches:

the system is a car radio

At the time of the invention, it would have been obvious to one of ordinary skill in the art to utilize a system wherein the system is car, a car radio so as to provide textual information regarding audio along with the audio to a car user (Dygert, par. [0012])

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUJIMI A. ADESANYA whose telephone number is 571-270-3307. The examiner can normally be reached on Monday-Friday 7.30a.m - 5.00p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHEMOND DORVIL can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/OLUJIMI A ADESANYA/
Examiner, Art Unit 2626

/Richemond Dorvil/
Supervisory Patent Examiner, Art Unit 2626